

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

CHARLES DEVON GARRETT,

Petitioner,

v.

SHAWN MOORE,

Respondent.

Case No. 1:22-cv-00899-JLT-HBK (HC)

ORDER DENYING PETITIONER'S  
MOTION FOR RELEASE FROM CUSTODY  
(Doc. No. 14)

Petitioner Charles Devon Garrett, a state prisoner proceeding *pro se*, has pending a petition for writ of habeas corpus under 28 U.S.C. § 2254. (Doc. No. 1, "Petition"). Before the Court is Petitioner's "motion for release on bail or own recognizance pending resolution of" his Petition. (Doc. No. 14). In support of this motion, Petitioner generally argues that his underlying claims constitute exceptional circumstances that warrant his release. (*Id.* at 3). "Bail pending a decision in a habeas case is reserved for extraordinary cases involving special circumstances or a high probability of success." *Land v. Deeds*, 878 F.2d 318, 318 (9th Cir. 1989). The Court finds Petitioner has not demonstrated special circumstances warranting his release or a high probability of success on the merits of his petition.

1 Accordingly, it is **ORDERED**:

2 Petitioner's motion for release from custody prior to the Courts' ruling on the petition  
3 (Doc. No. 14) is DENIED.

4

5 Dated: October 7, 2022



6 HELENA M. BARCH-KUCHTA  
7 UNITED STATES MAGISTRATE JUDGE

8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28